

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 23, 2001

DIVISION ONE

Court convened at 9:00 A.M.

Present: Spencer, P.J., Ortega, J., Vogel (Miriam A.), J., Mallano, J. and S. Beaux,
Deputy Clerk.

Each of the following:

B134137 People v. Kalny
B134799 People v. Smith
B136795 People v. Huggins
B144496 In re Huggins on Habeas Corpus
B136850 People v. Roland B.
B137019 People v. Jamerson
B137279 D.C.F.S. v. Hamid Z.
B137536 People v. Seabrook & Render
B138161 People v. Aguirre
B143400 In re Aguirre on Habeas Corpus
B138440 D.C.F.S. v. Angela A.
B138457 People v. Ibarra et al.
B138967 D.C.F.S. v. Vassili K.
B139658 People v. Contreras
B139887 D.C.F.S. v. Otho W.
B140039 People v. Flores
B140047 People v. Kingstro
B140296 People v. Brignac
B140768 People v. Houston
B140775 People v. Bland
B141048 People v. Forbes
B144749 In re Forbes on Habeas Corpus
B141095 D.C.F.S. v. Raquel M.
B141106 People v. Eric D.
B141206 People v. Hayes

DIVISION ONE (Continued)

Each of the following (continued):

B141294 People v. Presley
B141444 People v. Jose J.
B141891 People v. Gerald
B141959 People v. Downey
B142276 People v. Omar Q.
B142744 D.C.F.S. v. Kathleen M.
B144385 People v. Chavez
B145410 Willie H. v. S.C.L.A. (D.C.F.S.)

Argument waived, cause submitted.

B134066 Echavarria
v.
Ameriquest Mortgage Company et al.

Merits:

Argued by Sara K. Andrus for respondents. No appearance for appellant.
Cause submitted.

B135388 Ventura-Taft Partners et al.
v.
N.U. Pizza Holding Corporation

Merits:

Argued by Carla Margois for respondent. Appellant waived argument.
Cause submitted.

B138521 People
v.
Guzman

Merits:

Argued by Nancy J. King for appellant and by David Wildman for
respondent. Cause submitted.

DIVISION ONE (Continued)

B137285 People
 v.
 Gutierrez et al.

Merits:

Argued by Nancy J. King for appellant Gutierrez and by Roy C. Preminger, deputy attorney general, for respondent. Ellen M. Matsumoto waived argument for appellant Padilla and Marylou Hilberg waived argument for appellant Arias. Cause submitted.

B142152 People
 v.
 Esparaza et al.

Merits:

Argued by Edward J. Haggerty for appellant Valdez and by William T. Harter, deputy attorney general, for respondent. William Duncan waived argument for appellant Esparza. Cause submitted.

B138154 People
 v.
 Zamora

Merits:

Argued by Sharon Rhodes for appellant and by Michael W. Whitaker, deputy attorney general, for respondent. Cause submitted.

B128471 Karno
 v.
 Kupetz et al.

Merits:

Argued by Robert S. Gerstein for appellant and by David Kupetz for respondents. Cause submitted.

DIVISION ONE (Continued)

B131667 Karno
 v.
 Kupetz et al.

Merits:
Argued by Robert S. Gerstein for appellant and by David Kupetz for respondents. Cause submitted.

B130652 Roundtree
 v.
 Salinas et al.

Merits:
Argued by Jay D. Brown for appellants and by Earl E. Boyd for respondent. Cause submitted.

Ortega, J. leaves the bench.

B135701 Mayer Development Co., et al.
 v.
 Lee Bolin & Associates Inc.

Merits:
Argued by David F. Berry for appellant and by John J. Duffy for respondents. Cause submitted.

B140734 Lusby
 v.
 Northrop Grumman Corporation

Merits:
Argued by Stanley R. Raskin for appellant and by Charles Barker for respondent. Cause submitted.

Ortega, J. returns to the bench.

DIVISION ONE (Continued)

Mallano, J. leaves the bench.

B135047 People
 v.
 Tillman

Merits:

Argued by Vivian McPayah-Obiamalu for appellant and by Carol Frederich Jorstad, Deputy Attorney General, for respondent. Cause submitted.

B138062 Keys
 v.
 Vons Companies Inc.

Merits:

Argued by Eve Chesbro for appellant and by Joseph Kouri for respondent. Cause submitted.

Mallano, J. returns to the bench.

Spencer, P.J. leaves the bench.

B145099 Carpenter
 v.
 S.C.L.A.
 Protection One Alarm Monitoring Inc.

Merits:

Argued by John A. Case, Jr. for petitioner and by Ralph W. Tarr for real party in interest. Cause submitted.

Court adjourned.

January 23, 2001-Continued

DIVISION ONE (Continued)

B141927 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Jodi H., et al.

The orders are affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B140296 People (Not for Publication)
v.
Brignac

Brignac's sentence is modified (A) to correct the trial court's calculation errors with regard to counts 3 and 5 so that the sentence on each of those counts is 6 months (not 8 months), and (B) to correct the calculation of the aggregate sentence to 28 years. As modified, the judgment and sentence are affirmed and the cause is remanded to the trial court with directions to enter a corrected abstract of judgment.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

B138457 People (Not for Publication)
v.
Ibarra et al.

The judgments are affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION ONE (Continued)

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The judgment is affirmed. The clerk of the trial court is ordered to prepare a corrected abstract of judgment reflecting the court's oral pronouncement as to the parole revocation fine pursuant to section 1202.45. The clerk thereafter is ordered to transmit copies of the corrected abstract of judgment to the Department of Corrections.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

B138168 People (Not for Publication)
v.
Gentle III

The judgment is affirmed.

Mallano, J.

I concur: Ortega, Acting P.J.
I concur in judgment only: Vogel (Miriam A.), J.

B137536 People (Not for Publication)
v.
Render et al.

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION ONE (Continued)

B144385 People (Not for Publication)
v.
Vincente C.

The judgment is affirmed and the cause is remanded to the trial court with directions to determine whether it is necessary to calculate Vincente's precommitment custody credits and, if so, to make that calculation.

Vogel (Miriam A.), J.

We concur: Ortega, Acting P.J.
Mallano, J.

B141914 Gass
v.
NSK, Ltd., et al.

B143608 Gass
v.
NSK, Ltd. et al.

Filed order consolidating above captioned appeals.

DIVISION TWO

B134454 People v. Rogers

(Not for Publication)

The judgment is affirmed.

Todd, J.

We concur: Boren, P.J.
 Cooper, J.

DIVISION THREE

B137180 Los Angeles County, D.C.F.S. v. Felisa P. (Not for Publication)
B140368 In re April C., a minor on Habeas Corpus

The judgment is affirmed. The petition for writ of habeas corpus is denied.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B143970 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Laurie U.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B139014 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Audrey D.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B142817 Ratavos Markarian et al. (Not for Publication)
v.
Arthur L. Lamensdorf, as Trustee, etc., et al.

The order denying appellants' attorney fee request is reversed, and the matter is remanded for further proceedings in accordance with this opinion. Respondents shall pay appellants' costs on appeal, including reasonable attorney fees.

Curry, J.

We concur: Epstein, Acting P.J.
 Hastings, J.

B135107 Phillip Hanson (Not for Publication)
v.
The City of Los Angeles

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
 Epstein, J.

B137864 Lata D. Kanani (Not for Publication)
v.
Dhirubhai Kanani

The order of the trial court is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
 Hastings, J.

DIVISION FIVE

Court convened at 8:00 A.M.

Present: Armstrong, Acting P.J., Godoy Perez, J., Willhite, Jr., J. (Assigned) and J. Belcher, Deputy Clerk.

B146747 In re Francisco Martinez
 v.
 Superior Court, Los Angeles County
 (The People, r.p.i.)
B146905 In re Jesus Gonzalez
 v.
 Superior Court, Los Angeles County
 (The People, r.p.i.)

Merits:

Argued by Cynthia Kairys for petitioner Martinez and by Luis Carrillo for petitioner Gonzalez and by Juliet Schmidt and Michael Kruat, deputy district attorneys, for real party in interest. Cause submitted.

Court adjourned at 8:55 A.M.

B138833 Randy Pappas (Not for Publication)
 v.
 John A. Meaders et al.

The judgment is affirmed. Respondent(s) to recover costs.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

DIVISION FIVE (Continued)

B145235 Freddy B. (Not for Publication)

V.

The Superior Court of Los Angeles County

Los Angeles County, D.C.S.

The petition for extraordinary writ is denied.

Godoy Perez, J.

We concur: Turner, P.J.

Armstrong, J.

B139663 People (Not for Publication)

V.

Javier Flores

The judgment is affirmed.

Godoy Perez, J.

We concur: Grignon, Acting P.J.

Armstrong, J.

DIVISION SIX

B143101 People (Not for Publication)

V.

Gaskew

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.

Yegan, J.

DIVISION SIX (Continued)

B142463 People v.
Martin

(Not for Publication)

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

B143670 People (Not for Publication)
v.
Reyes

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

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The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

January 23, 2001-Continued

DIVISION SIX (Continued)

B134837 People (Not for Publication)
v.
Savoy

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

B141287 D.C. Services, Inc. (Not for Publication)
v.
Olsen

The judgment confirming the arbitration award is affirmed. Costs are awarded to respondent.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B136231 People (Not for Publication)
v.
Brown

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

January 23, 2001-Continued

DIVISION SIX (Continued)

B139652 People (Not for Publication)
v.
Perez

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

DIVISION SEVEN

B141406 People (Not for Publication)
v.
Paul L.

The order under review is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B134010 People (Not for Publication)
v.
Hernandez

The judgment is affirmed.

Woods, J.

We concur: Johnson, Acting P.J.
Neal, J.

DIVISION SEVEN (Continued)

B136928 James Blatt and Stanley Stone (Not for Publication)
 v.
 County of Los Angeles et al.

The summary judgment is affirmed. Costs on appeal are awarded to respondents.

Woods, J.

We concur: Johnson, Acting P.J.
 Neal, J.